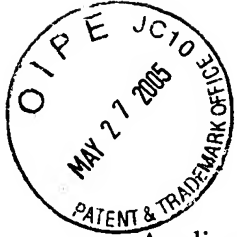


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Express Mail Label No.: EV 292462090 US
Date of Deposit: May 27, 2005

DOCKET NO.: D0188.70162US01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sancioff et al.
Serial No.: 10/014,991
Confirmation No.: 4207
Filed: December 11, 2001
For: MEDICAL SUTURE INSTRUMENT AND METHOD OF USE

Examiner: Gary Jackson
Art Unit: 3731

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited foreign references
- Copy of International Search Report dated November 29, 1999
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180.00 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

Walt Norfleet, Reg. No.: 92,078
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: D0188.70162US01
Date: May 27, 2005
xNDDx



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Examiner: Gary Jackson
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MAIL STOP Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application. The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

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The Applicant hereby makes the following additional information of record in the above-identified application.

The above-identified U.S. application claims priority to U. S. Patent Application Serial No. 09/368,273, now U.S. Patent No. 6,332,889.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Publication No.</u>
10/051322	01/18/02	n/a
10/141692	05/07/02	US-2003-0028202-A1
10/202530	07/23/02	US-2003-0105475 -A1
10/243556	09/13/02	US-2003-0105476-A1
10/352600	01/28/03	US-2003-0114863-A1
10/378805	03/04/03	US-2003-0171761-A1
10/396927	03/25/03	US-2004-0087979-A1
10/441652	05/19/03	US-2004-0092967-A1
10/440805	05/19/03	US-2004-0254592-A1
10/667845	09/22/03	US-2004-0133221-A1
10/681626	10/08/03	US-2004-0073237-A1
10/737197	12/16/03	US-2005-0070922-A1
10/760634	01/20/04	US-2005-0038449-A1
10/764837	01/26/04	US-2004-0158267-A1
10/848512	05/18/04	n/a
10/897975	07/23/04	US-2005-0043747-A1
10/919792	08/17/04	US-2005-0085832-A1

The Applicant would like to bring to the Examiner's attention the enclosed copy of the International Search Report from Patent Cooperation Treaty Application No. PCT/US99/19491, dated November 29, 1999, which corresponds to Parent U. S. Patent Application Serial No. 09/368,273, now U.S. Patent No. 6,332,889.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

Serial No.: 10/014991
Conf. No.: 4207

- 4 -

Art Unit: 3731

An early and favorable action is hereby requested.

Respectfully submitted,

By: Walt Norfleet
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600 Atlantic Avenue
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Telephone: (617) 646-8000

Docket No.: D0188.70162US01
Date: May 27, 2005
xNDDx



FORM PTO-1449/A and B (Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICATION NO.: 10/014,991

ATTY. DOCKET NO.: D0188.70162US01

FILING DATE: Dec. 11, 2001

CONFIRMATION NO.: 4207

APPLICANT: Sancioff et al.

GROUP ART UNIT: 3731

EXAMINER: Gary Jackson

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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		919,138		DRAKE	4/20/1909
		1,449,087		BUGBEE	3/20/1923
		1,815,725		PILLING ET AL	7/21/1931
		2,579,192		KOHL	12/18/1951
		3,013,559		THOMAS	12/19/1961
		3,675,688		Bryan, et al.	7/11/1972
		3,735,762		Bryan, et al.	5/29/1973
		3,840,017		Violante	10/8/1974
		3,842,840		Schweizer	10/22/1974
		4,161,951		Scanlan, Jr.	7/24/1979
		4,164,225		Johnson, et al.	8/14/1979
		4,224,947		Fukuda	9/30/1980
		4,235,238		Ogiu, et al.	11/25/1980
		4,527,724		Chow, et al.	7/9/1985
		4,595,007		Mericle	6/17/1986
		4,610,383		Rothfuss, et al.	9/9/1986
		4,612,933		Brinkerhoff, et al.	9/23/1986
		4,669,473		Richards, et al.	6/2/1987
		4,705,040		Mueller, et al.	11/10/1987
		4,728,020		Green, et al.	3/1/1988
		4,741,330		Hayhurst	5/3/1988
		4,869,414		Green, et al.	9/26/1989
		4,919,152		Ger	4/24/1990
		4,997,436		Oberlander	3/5/1991
		5,021,059		Kensey, et al.	6/4/1991
		5,037,433		Wilk, et al.	8/6/1991
		5,100,042		Gravener, et al.	3/31/1992
		5,147,373		Ferzli	9/15/1992
		5,161,725		Murray, et al.	11/10/1992
		5,181,919		Bergman, et al.	1/26/1993
		5,197,971		Bonutti	3/30/1993
		5,209,747		Knoepfler	5/11/1993
		5,211,650		Noda	5/18/1993
		5,243,443		Eschbach	9/7/1993
		5,356,064		Green, et al.	10/18/1994
		5,368,606		Marlow, et al.	11/29/1994
		5,387,221		Bisgaard	2/7/1995



FORM PTO-1449/A and B (Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICATION NO.: 10/014,991

ATTY. DOCKET NO.: D0188.70162US01

FILING DATE: Dec. 11, 2001

CONFIRMATION NO.: 4207

APPLICANT: Sancioff et al.

GROUP ART UNIT: 3731

EXAMINER: Gary Jackson

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U.S. PATENT DOCUMENTS

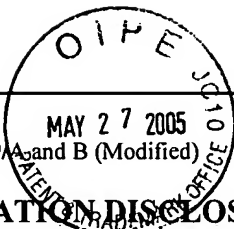
Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		5,389,103		Melzer, et al.	2/14/1995
		5,405,073		Porter	4/11/1995
		5,405,344		Williamson, et al.	4/11/1995
		5,423,837		Mericle, et al.	6/13/1995
		5,447,512		Wilson, et al.	9/5/1995
		5,454,827		Aust, et al.	10/3/1995
		5,465,894		Clark, et al.	11/14/1995
		5,465,895		Knodel, et al.	11/14/1995
		5,466,241		Leroy, et al.	11/14/1995
		5,478,003		Green, et al.	12/26/1995
		5,484,451		Akopov, et al.	1/16/1996
		5,485,947		Olson, et al.	1/23/1996
		5,489,288		Buelna	2/6/1996
		5,507,426		Young, et al.	4/16/1996
		5,520,702		Sauer, et al.	5/28/1996
		5,522,820		Caspari, et al.	6/4/1996
		5,527,321		Hinchliffe	6/18/1996
		5,527,322		Klein, et al.	6/18/1996
		5,529,235		Boiarski, et al.	6/25/1996
		5,535,935		Vidal, et al.	7/16/1996
		5,545,179		Hart	8/13/1996
		5,578,044		Gordon, et al.	11/26/1996
		5,582,616		Bolduc, et al.	12/10/1996
		5,584,425		Savage, et al.	12/17/1996
		5,607,095		Smith, et al.	3/4/1997
		5,643,294		Tovey, et al.	7/1/1997
		5,643,295		Yoon	7/1/1997
		5,665,096		Yoon	9/9/1997
		5,665,100		Yoon	9/9/1997
		5,676,674		Bolanos, et al.	10/14/1997
		5,713,910		Gordon, et al.	2/3/1998
		5,735,873		MacLean	4/7/1998
		5,743,456		Jones, et al.	4/28/1998
		5,755,728		Maki	5/26/1998
		5,762,256		Mastri, et al.	6/9/1998
		5,782,844		Yoon, et al.	7/21/1998
		5,792,152		Klein, et al.	8/11/1998



FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/014,991		ATTY. DOCKET NO.: D0188.70162US01	
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				GROUP ART UNIT: 3731		EXAMINER: Gary Jackson	
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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		5,794,834		Hamblin, et al.	8/18/1998
		5,807,393		Williamson, IV, et al.	9/15/1998
		5,810,882		Bolduc, et al.	9/22/1998
		5,824,008		Bolduc, et al.	10/20/1998
		5,830,221		Stein, et al.	11/3/1998
		5,865,361		Milliman, et al.	2/2/1999
		5,893,863		Yoon	4/13/1999
		5,897,562		Bolanos, et al.	4/27/1999
		5,919,202		Yoon	7/6/1999
		5,922,001		Yoon	7/13/1999
		5,922,002		Yoon	7/13/1999
		5,951,575		Bolduc, et al.	9/14/1999
		5,954,731		Yoon	9/21/1999
		5,972,004		Williamson, IV, et al.	10/26/1999
		5,984,938		Yoon	11/16/1999
		6,030,410		Zurbrugg	2/29/2000
		6,032,849		Mastri, et al.	3/7/2000
		6,048,351		Gordon, et al.	4/11/2000
		6,074,404		Stalker, et al.	6/13/2000
		6,099,537		Sugai, et al.	8/8/2000
		6,109,500		Alli, et al.	8/29/2000
		6,119,913		Adams, et al.	9/19/2000
		6,131,790		Piraka	10/17/2000
		6,171,316		Kovac, et al.	1/9/2001
		6,187,019		Stefanchik, et al.	2/13/2001
		6,206,893		Klein, et al.	3/27/2001
		6,241,139		Milliman, et al.	6/5/2001
		6,273,860		Kostylev, et al.	8/14/2001
		6,296,656		Bolduc, et al.	10/2/2001
		6,302,311		Adams, et al.	10/16/2001
		6,330,965		Milliman, et al.	12/18/2001
		6,383,208		Sancioff, et al.	5/7/2002
		6,439,446		Perry, et al.	8/27/2002
		6,443,973		Whitman	9/3/2002
		6,514,263		Stefanchik, et al.	2/4/2003
		6,517,553		Klein, et al.	2/11/2003
		6,520,973		McGarry	2/18/2003



INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/014,991		ATTY. DOCKET NO.: D0188.70162US01	
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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		6,530,932		Swayze, et al.	3/11/2003
		6,562,051		Bolduc, et al.	5/13/2003
		6,641,592		Sauer, et al.	11/4/2003
		6,663,641		Kovac, et al.	12/16/2003
		6,755,338		Hahnen, et al.	6/29/2004
		2002/0062136		Hillstead, et al.	5/23/2002
		2002/0096550		Green, et al.	7/25/2002
		2003/0023250		Watschke, et al.	1/30/2003
		2003/0045900		Hahnen, et al.	3/6/2003
		2003/0083695		Morris, et al.	5/1/2003
		2003/0105473		Miller	6/5/2003
		2003/0135226		Bolduc, et al.	7/17/2003
		2004/0108357		Milliman, et al.	6/10/2004
		RE28932		Noiles, et al.	8/17/1976
		RE38335		Aust, et al.	8/25/2003
		6,332,889		Sancioff, et al.	12/25/2001
		6,786,913		Sancioff, et al.	9/7/2004
		6,383,208		Sancioff, et al.	5/7/2002
		6,679,895		Sancioff, et al.	1/20/2004
		6,682,540		Sancioff, et al.	1/27/2004
		6,527,785		Sancioff, et al.	3/4/2003
		6,511,489		Field, et al.	1/28/2003
		6,663,643		Field, et al.	12/16/2003
		6,740,099		Doyle, et al.	5/25/2004
		6,767,352		Field, et al.	7/27/2004
		2003/0028202		Sancioff, et al.	2/6/2003
		2003/0105475		Sancioff, et al.	6/5/2003
		2003/0105476		Sancioff, et al.	6/5/2003
		2003/0114863		Field, et al.	6/19/2003
		2003/0171761		Sancioff, et al.	9/11/2003
		2004/0087979		Field, et al.	5/6/2004
		2004/0092967		Sancioff, et al.	5/13/2004
		2004/0254592		DiCarlo, et al.	12/16/2004
		2004/0133221		Sancioff, et al.	7/8/2004
		2004/0073237		Leinsing	4/15/2004
		2005/0070922		Field, et al.	3/31/2005
		2005/0038449		Sancioff, et al.	2/17/2005
		2004/0158267		Sancioff, et al.	8/12/2004



FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/014,991		ATTY. DOCKET NO.: D0188.70162US01	
				FILING DATE: Dec. 11, 2001		CONFIRMATION NO.: 4207	
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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document	Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		2005/0043747	Field, et al.	2/24/2005
		2005/0085832	Sancoff, et al.	4/21/2005

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
		EP	0 216 532		GREEN ET AL	4/1/1987	N
		EP	0 646 356		WILLIAMSON ET AL	4/5/1995	N
		EP	0 705 569		SHERTS	4/10/1996	N
		EP	0 741 996		YATES	11/13/1996	N
		GB	2 025 236		HARRIS	1/23/1980	N
		WO	02/34167		KUEHN ET AL	5/2/2002	N
		WO	02/43569		JULIAN ET AL	6/6/2002	N
		WO	03/101313		HAHNEN ET AL	12/11/2003	N
		WO	93/16644		HABER ET AL	9/2/1993	N
		WO	95/18572		KOUKLINE	7/13/1995	N
		WO	96/10957		STIGGELBOUT ET AL	4/18/1996	N
		WO	96/27331		YOON	9/12/1996	N
		WO	98/11829		KORTENBACH ET AL	3/26/1998	N

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	*	Auto Suture Company, VCS Clip Applier System, Undated	N

EXAMINER:	DATE CONSIDERED:
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/368,273, filed August 3, 1999, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).